

## **Live Webcast from the Court of Appeal: *R. v. Fry***

### **Date of Hearing**

October 13, 2017 at 10:00 a.m.

### **Panel**

Chief Justice Derek Green  
Justice Gale Welsh  
Justice Charles White

### **Counsel**

For Evan Fry: Derek Hogan  
For Her Majesty the Queen in Right of NL: Sheldon Steeves

### **Summary**

On September 1, 2016, following a trial in Provincial Court, Evan Fry was convicted of armed robbery, breaking and entering and committing theft, and a breach of recognizance. Mr. Fry was sentenced to six years' imprisonment for armed robbery, six years' imprisonment concurrent for break and enter, and six months' imprisonment concurrent for the breach of recognizance. Mr. Fry is appealing his armed robbery conviction and seeks leave (permission) to appeal the sentence for break and enter.

One of the key issues on this appeal is whether statements made by a co-accused implicating Mr. Fry in the armed robbery should have been admitted into evidence and relied on at the trial. If Mr. Fry's appeal of the armed robbery conviction is allowed, the Court will also have to determine whether Mr. Fry should be acquitted of the armed robbery offence or whether there should be a new trial in relation to that offence.

Mr. Fry is also seeking to appeal the sentence for the break and enter offence. He seeks a lower sentence.